"I may add that the points of difference do not affect the main principle of the "Bill, but are matters to be discussed at a later stage of the Bill. With these obser- "vations, I beg to move that the principle of the Bill be affirmed."

Seconded by Mr. Poonen.

Mr. Kuruvila Varkki stated that he understood that a large majority of the Christians in Travancore were not in agreement with the findings of Mr. Cheriyan's Committee, especially in respect of the rights of females. From what the community had, in different places in Central and North Travancore, expressed in public meetings, it seemed to him that the bulk of the Syrian and other Christians in those places were not prepared to accept the provisions of the Bill in respect of the widow, the mother and the daughter. At the same time, however, he was of opinion that it was highly undesirable, nay even disastrous to the interests of the Christian community, to leave them at that juncture without a legislation regulating their inheritance. The decisions of the law courts had introduced new principles of inheritance which were not in agreement with the customs prevailing in the community. The Committee presided over by Mr. Cheriyan had collected and placed on record conflicting evidence in regard to the customary law. This unsettlement and uncertainty of the law would, unless checked by the legislature, be productive of much litigation and considerable hardship. He also found that the Christian Members of the last Popular Assembly were unanimously in favour of the Bill being introduced and taken up for consideration in the Council. He had great confidence in the wisdom, tact and resourcefulness of the Council, and particularly of its worthy President, and he was hopeful that the Council would be able to evolve out of this Bill a law acceptable to all parties of the Christians alike, just as it had been able in the past to evolve the Travancore Nair Regulation out of the Marumakkathayam Bill —a Regulation which was hailed by all the Nairs in Travancore and which furnished an ideal in social legislation to the Nairs in Cochin and British Malabar. He prayed for the necessary latitude being allowed to the Committee as well as to the Council to shape the Bill in its final form in such a way as to make it most useful and least injurious. With these observations, the Member supported the principle of the Bill.

Mr. C. P. Thomas said that it was a matter of personal gratification to him to note that the Bill before the Council was the result of the labour of the Christian Committee, on the appointment of which he had been the first to make a representation at the Sri Mulam Popular Assembly. When the Government were convinced through repeated representations at the Assembly that a committee of enquiry, to be followed by legislation, was a strongly and widely felt need of the community, the Christian Committee was forthwith appointed ; and he would take that opportunity to once more express the thanks of the Christian community in Travancore to His Highness' Government for the appointment of that Committee. The Bill was the one framed by the majority of the Committee. Unfortunately, or perhaps fortunately, dissentient minutes had also been recorded by two of the members thereof. He used the word 'fortunately', because the difference of opinion so expressed was one of the evidences, to the public interested, that the principles involved had really been well thought out and discussed, from different standpoints, by men of different modes of thought. It was quite natural that a new legislation, so vitally affecting the family and social life of the community, should rouse the attention of all the sections thereof. He understood that meetings had been held in various parishes and resolutions passed and memorials submitted in regard to the Bill. Some of those memorials were in favour of the Bill in general, while others were against certain portions of it. Though he thought that the latter were larger in number than the former, as far at least as the Syrian Christian community was concerned, he was not sure that they emanated from a majority of the more enlightened section of it. No doubt the facts that there was difference of opinion even among the educated members of the community and that there was an absence of unanimity among the members of the Christian Committee itself, had to be reckoned with; but, at the same time, he was of opinion that a good deal of the agitation was based upon misconceptions and imperfect conceptions of some of the provisions of the Bill now animadverted upon. He feared that many had been prejudiced by bugbears and ominous catchwords and had not made any study of the Report and the Bill. The opponents of the Bill had thus failed to see with what success the majority of the Committee had endeavoured to reconcile the various interests and different ideals of the community. A considerable portion of the agitation was due to the natural fear of a conservative community about the possible results,

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social and economic, of anything like an innovation in the existing state of affairs. Until the question was calmly considered by responsible men, it was impossible to say whether such fear was well-grounded or was merely imaginary. Again, he feared that the differences had been exaggerated by a spirit of partisanship. He was, however, hopeful that, if a conference of a select few among the leading men on either side could be held for a dispassionate discussion on the chief points of difference, the conflicting parties could be brought to greater agreement, which might probably be done with much advantage in the presence of the Select Committee; and if the President of the Council would, with his characteristic readiness to help in all such matters, preside over one or two such conferences, their success would be assured. The memory of how, in the case of the Marumkkathayam Bill, with all the conflicting opinions it evoked under essentially similar conditions, the plentiful resources and the masterly tact and patience of the President had been mainly responsible for its present shape, encouraged him respectfully to put forward that suggestion.

Turning to the Bill itself, the Member found that its principle in all other respects than the claims of women had generally been accepted and he would also express his assent to the same. In regard to the claims of women, it had to be observed that, consciously or otherwise, a tendency had been working in the community to beneficially combine the Indian family and social ideal with the Christian ideal, and that, as a result, while the Christians in Travancore would not encourage a mere transplantation of western ideas in such matters, the very essence of the spirit of life and freedom ingrained in their religion would enable them to move along the path of progress, as hitherto, by proper assimilations and adaptations. It was to this tendency, so manifest in the community, that the Bill on the whole had given weight. That the woman had a legally enforceable claim to the property of her father or of her husband, as the case might be, had been laid down in the Bill, while the position that she was an inconsiderable factor that might be left to the tender mercies of the male heirs had been discountenanced. He took *that* as the principle of the Bill and gave his assent to it. The traditional idea that the property of one family should not, as far as possible, be diverted to another, had also been respected in the Bill, since provision had been made for the acceptance, by certain female heirs, of the value of their shares in case a male heir or heirs offered the same. In conclusion, Mr. Thomas again said that he accepted the principle of the Bill in general.

Mr. Subrahmanya Iyer also expressed his view in favour of the principle of the Bill.

Mr. Parameswaran Pillai stated that sufficient time should be allowed to the public, lest it should be thought that the question was dealt with by the Council without proper deliberation.

After some discussion Mr. Subba Iyer's motion for the affirmation of the principle of the Bill was put and agreed to.

The principle of the Bill having been affirmed by the Council, Mr. Subba Iyer moved that the Bill be referred to a Select Committee, consisting of Mr. Vieyra, Mr. Krishnan Nair, Mr. Poonen, Mr. Kuruvila Varkki, Mr. Thomas and the Mover, to report within three months.

The motion was put and agreed to.

THE FOREST REGULATION AMENDMENT BILL.

Mr. Subba Iyer, in introducing the Bill to amend the Forest Regulation, said that trespass or damage committed in any reserved forest was made punishable under Section 21 (e) of the Regulation; but the Magistrate was not competent to order the confiscation of the illicit crop raised by the offender. In the case of an infringement of the provisions of Section 22, the Magistrate had been invested with such power and it was necessary that a similar power should be given to him under Section 21 (e) as well. The Bill accordingly provided for this. The Bill had been published under Rule 32 and copies thereof had been circulated among the Members. He therefore moved that the principle of the Bill be affirmed.

Seconded by Mr. Vieyra.

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Mr. Sesha Iyer, in opposing the motion, observed that the necessity for confiscation as a form of punishment was not very clear to him. That form of punishment was painfully suggestive of the days when the accepted theory of punishment was the retributive theory. That theory, with its criterion of justice as an end in itself, had given place to a theory which regarded punishment solely as a means to an end, either utilitarian or moral, according as the common advantage of society or the good of the criminal was sought. It could not be said that confiscation contributed to any such end and he strongly opposed the measure proposed, which in his opinion was a retrograde one.

Mr. Kesava Pillai also expressed himself against the principle of the Bill.

Mr. Subba Iyer's motion for the affirmation of the principle of the Bill was then put to vote and carried by a majority.

Mr. Subba Iyer said that, that being a small amendment, he did not consider it necessary to refer the Bill to a Select Committee. He therefore moved, under Rule 66 of the Legislative Council Rules, that the operation of the ordinary Rules be suspended, so that the Bill might go through all the further stages, except the final reading.

Seconded by Mr. Vieyra.

Carried.

Mr. Subba Iyer then proposed that the Bill be read again on a future day of which notice should be given.

The motion was put and agreed to.

THE LEPERS REGULATION AMENDMENT BILL.

Mr. Subba Iyer, in introducing the Lepers Regulation Amendment Bill, explained that, under Section 6 of the Regulation, the power of arresting pauper lepers without warrant was given only to Inspectors. With the recent reorganization of the Police Department, a class of Sub-Inspectors had been created, to whom this power might, with advantage, be now given. The Bill had been published in the Gazette under Rule 32 and copies of the same had been circulated among the Members He therefore moved that the principle of the Bill be affirmed.

Seconded by Mr. Vieyra.

Carried.

Mr. Subba Iyer stated that that too was but a very small amendment and considered that no reference to the Select Committee was necessary. He therefore moved that the Rules be suspended, so that the Bill might go through all the further stages, except the final reading.

Seconded by Mr. Vieyra.

Carried.

Mr. Subba Iyer then proposed that the Bill be read again on a future day of which notice should be given.

Seconded by Mr. Aiyappan Pillai.

Carried.

THE PREVENTION OF CRUELTY TO ANIMALS REGULATION AMENDMENT BILL.

Mr. Vieyra presented the report of the Select Committee on the Bill and moved that the report be taken up for consideration.

Seconded by Mr. Subrahmanya Iyer.

Carried.

The Council having approved of the Bill as amended by the Select Committee, Mr. Vieyra proposed that the Bill be read again on a future day of which notice should be given.

Seconded by Mr. Subrahmanya Iyer.

Carried.

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THE ANCHAL REGULATION AMENDMENT BILL.

Mr. Subba Iyer, in presenting the report of the Select Committee on the Bill, said that the report had been published in the Gazette and copies thereof distributed among the Members. He also observed that, since the submission of the report, it was thought necessary to embody in the Bill certain recent amendments introduced in the Indian Post Office Act and that he had given notice of the amendments which he would propose in the order of the Sections as they came in. He moved that the report and the amended Bill be taken up for consideration.

The motion was put and agreed to.

Section 3.

Mr. Subrahmanya Iyer proposed that the word "Anchal" occurring before the word "card" in the last line of Clause (d) and also in line 2 of Clause (f) be omitted, being unnecessary.

Seconded by Mr. Vieyra.

Carried.

Section 12.

Mr. Krishnan Nair proposed that the following be inserted as the marginal note to the Section :—"Recovery of postage and other sums due in respect of Anchal articles".

Seconded by Mr. Mahadeva Iyer.

Carried.

Mr. Kesava Pillai proposed that the last part of this Section, beginning with the words "and the Anchal Superintendent may further direct.....or recovered as aforesaid" be omitted, as the withholding of other articles addressed to the defaulter would work hardship on innocent third parties who might have to send notices of suit &c.

Seconded by Mr. Sesha Iyer.

Mr. Subba Iyer said that there was a similar provision in the British Indian Post Office Act, the object being the prompt and effective recovery of small sums of money.

After some discussion, the Council resolved that the provision be omitted.

Section 14.

Mr. Krishnan Nair proposed that the words "Official mark to be evidence of amount of postage" be inserted as marginal note to the Section.

Seconded by Mr. Aiyappan Pillai.

Carried.

Section 20.

Mr. Subba Iyer proposed that the Section be recast as follows :—

"20. (1) Our Government may make rules as to the transmission of Anchal articles by Anchal.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(*a*) specify articles which may not be transmitted by Anchal;

(*b*) prescribe conditions on which articles may be transmitted by Anchal;

(*c*) provide for the detention and disposal of the articles in course of transmission by Anchal in contravention of rules made under Clause (*a*) or Clause (*b*);

(*d*) provide for the granting of receipts for, and the granting and obtaining of certificates of, posting and delivery of Anchal articles and the sums to be paid, in addition to any other postage, for such receipts and certificates; and

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